

APR 29 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PRIMITIVO CORIA-CEDENO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-73963

Agency No. A076-642-567

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 13, 2009**

Before: GRABER, GOULD, and BEA, Circuit Judges.

Primitivo Coria-Cedeno, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order affirming an immigration judge's removal order. We review for abuse of discretion the agency's denial of a motion

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

to continue, *Baires v. INS*, 856 F.2d 89, 91 (9th Cir. 1988), and we deny the petition for review.

The IJ did not abuse his discretion in refusing to continue Coria-Cedeno's immigration proceedings because Coria-Cedeno did not establish "good cause" for a continuance. *See Grageda v. INS*, 12 F.3d 919, 921 (9th Cir. 1993) (IJ properly denied motion to continue because pending collateral attack did not affect finality of conviction).

PETITION FOR REVIEW DENIED.